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10     **UNITED STATES DISTRICT COURT**

11     **DISTRICT OF NEVADA**

12     YOKO HINTON

13     Plaintiff,

14     vs.

15     PRICE ZONE dba J & S INTERNATIONAL,  
16     ALPHA, GAS ONE and/or GAS  
17     ONE/ALPHA, a Foreign Corporation; ROE  
18     “ALPHA” MANUFACTURER, an entity of  
19     unknown origin; ROE MANUFACTURERS  
20     and/or DISTRIBUTORS; DOES I through  
21     XXX, inclusive and ROE BUSINESS  
22     ENTITIES I through XXX, inclusive,

23     Defendants.

24     Case No.: 2:19-CV-00733

25     **STIPULATION TO EXTEND  
26     DISCOVERY DEADLINES  
27     (FIRST REQUEST)**

28     Pursuant to LR 26-3 and the scheduling order (**Doc. 8**) in this matter, Defendant PRICE  
29     ZONE d/b/a J & S INTERNATIONAL (“PRICE ZONE” or “Defendant”), incorrectly named in  
30     the caption as PRICE ZONE dba J&S INTERNATIONAL, ALPHA, GAS ONE and/or GAS  
31     ONE/ALPHA, by and through its attorneys, LEWIS BRISBOIS BISGAARD & SMITH LLP,  
32     and Plaintiff, YOKO HINTON (“Plaintiff”) by and through her attorneys of record, of the law  
33     firm LADAH LAW FIRM (Collectively, “the Parties”) hereby respectfully submit their  
34     Stipulation and Order to Extend Time for Discovery (First Request) pursuant Rules 6(b) and  
35     26(f) of the Federal Rules of Civil Procedure and Local Rules 6-1 and 26-4.

36     ///

37     ///





1        This is the Parties' **First Request** for an Extension of Time, and the same is not brought  
2 for purposes of delay, but rather for the sole purpose of allowing the parties to diligently and  
3 adequately prepare their respective cases for either settlement discussions or trial.

4        This stipulation is brought in compliance with LR 26-4 as it is filed more than 21 days  
5 before the expiration of Plaintiff's Initial Expert Disclosure deadline. Due to certain complexities  
6 in this case the parties jointly request a 60-day extension of the deadline for initial expert  
7 disclosures, rebuttal expert disclosures, and deadline to file motion(s) to add parties or amend  
8 pleading.  
9

10      **REASONS WHY THE DISCOVERY REMAINING WAS NOT COMPLETED**

11      **WITHIN THE DEADLINES CONTAINED IN THE DISCOVERY SCHEDULING ORDER**

12      The extension is sought for the following reasons:

13      The Parties are in the process of working together to determine whether the allegedly-  
14 defective product at issue is indeed one which was allegedly distributed by Defendant PRICE  
15 ZONE. Although Plaintiff brought this action against PRICE ZONE in good faith and based on  
16 credible information regarding the manufacturer's identity, additional information since unveiled  
17 now raises questions as to the accuracy of this original indication. Accordingly, rather than exhaust  
18 potentially needless time and resources on further discovery (particularly that relating to damages),  
19 the parties hereby request a brief extension of the current discovery deadlines so that the parties can  
20 complete their investigation of the product's identity before proceeding with additional discovery.  
21

22      To date, the parties have exchanged Rule 26.1(a)(1) disclosures, and supplemented as  
23 needed. The Defendant has also propounded and Plaintiff responded to written discovery requests.  
24 Currently, Plaintiff's deposition is scheduled to be completed on December 18, 2019.  
25

26      **IT IS HEREBY STIPULATED AND AGREED** to by the Parties that the discovery  
27 deadlines in this matter be continued for a period of 60 days to allow the parties additional time to  
28 complete discovery, and retain and disclose experts.

1                   **STATEMENT SPECIFYING THE DISCOVERY THAT HAS BEEN COMPLETED.**

- 2         1. The parties participated in the Fed.R.Civ.P 26(f) conference;
- 3         2. All parties have made their disclosures pursuant to Fed.R. Civ. P. 26.1(a)(1);
- 4         3. Defendant propounded written discovery on Plaintiff.
- 5         4. Plaintiff responded to Defendant's written discovery.
- 6

7                   **SPECIFIC DESCRIPTON OF DISCOVERY THAT REMAINS TO BE DONE**

- 8         1. Continued investigation into product identification.
- 9         2. The Plaintiff's deposition is set to take place on December 18, 2019.
- 10        3. Plaintiff needs to propound written discovery.
- 11        4. Designation of expert witnesses;
- 12        5. Designation of rebuttal expert witnesses;
- 13        6. An Independent Medical Examination of Plaintiff;
- 14        7. Fact and witness depositions will be taken including the following:
- 15                  A. Plaintiff (currently set for December 18, 2019);
- 16                  B. Plaintiff's treating physicians;
- 17                  C. Defendant's FRCP 30(b)(6) witnesses;
- 18                  D. Fact witnesses; and
- 19                  E. Expert witnesses
- 20        8. Additional follow up written discovery.

21                  The Parties are diligently moving forward with discovery. Regardless, issues with  
22                  product identification necessitate an extension of discovery deadlines.

23                  The Parties continue to diligently move forward with discovery. The Parties have  
24                  completed many discovery events as enumerated above. Regardless, issues with product  
25                  identification compels the parties to request an extension of discovery deadlines and now request  
26                  this Honorable Court grant their joint request to move the deadline for discovery back. The  
27  
28





1 Parties propose additional Interim Status Reports be set to keep the Court apprised of Discovery  
2 progress as detailed herein.

3 The current deadline for Plaintiff's Initial Disclosure of Experts is discovery is Friday,  
4 December 27, 2019. Accordingly, this request is being brought more than 21 days prior to that  
5 date. Here, good cause exists because the parties have been diligent in conducting discovery,  
6 however, additional time is needed to complete product investigation essential to this matter and  
7 other related discovery. The parties are in the process of working together to resolve the product  
8 individual issues. Thus, rather than expend additional fees, costs, expert costs, and related  
9 litigation expenses, the Parties will soon be submitting their first request for an extension of  
10 discovery deadlines to give the Parties additional time to address ongoing product identification  
11 investigation issues.

12 **PROPOSED SCHEDULE FOR COMPLETING REMAINING DISCOVERY**

13 As a result of the above, it is requested that the discovery deadlines be continued 60 days  
14 from their present deadlines as follows along with the addition of multiple additional joint interim  
15 status reports to keep the Court Apprised of Discovery Process:

16 **I. PROPOSED SCHEDULE FOR COMPLETING REMAINING DISCOVERY**

		<u>Current Date</u>	<u>Proposed Date</u>
19	▪ 1 <sup>st</sup> Joint Interim Status Reports	11/14/19	no change
20	▪ 2 <sup>nd</sup> Joint Interim Status Report	new	01/13/20
21	▪ 3 <sup>rd</sup> Joint Interim Status Report	02/14/20	02/14/20 (no change)
22	▪ Amend Pleadings/Add Parties	12/27/2019	2/25/2020
23	▪ Plaintiff's Initial Expert Disclosure	12/27/2019	2/25/2020
24	▪ 4 <sup>th</sup> Joint Interim Status Report	new	03/03/2020
25	▪ Defendant's Initial Expert Disclosure	1/27/2020	3/27/2020
26	▪ Rebuttal Expert Disclosure	2/27/2020	4/27/2020
27	▪ 4 <sup>th</sup> Joint Interim Status Report	new	05/08/2019
28	▪ Discovery Cut-off	04/29/2020	06/29/2020



1	▪ Dispositive Motions	05/28/2020	06/29/2020
2	▪ Joint Pretrial Order	06/26/2020	08/25/2020

3                   **Extensions or Modifications of the Discovery Plan and Scheduling Order:** Any  
4 stipulation or motion must be made no later than 21 days before the subject deadline. Requests to  
5 extend discovery deadlines must comply fully with LR 26.-4.

6                   **CONCLUSION**

7                   Based on the foregoing the Parties respectfully request that this Honorable Court approve  
8 this First Stipulation to Extend the Time for Discovery  
9

10                  **RESPECTFULLY SUBMITTED** this 14th day of November, 2019.

11 DATED this 14th day of November, 2019.

12                  DATED this 14th day of November, 2019.

13                  **LADAH LAW FIRM**

14                  */s/ Ramzy P. Lada, Esq.*

15                  **RAMZY P. LADAH, ESQ.**

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21                  Attorney for Plaintiff

12                  **LEWIS BRISBOIS BISGAARD & SMITH  
13 LLP**

14                  */s/ Steven Abbott, Esq.*

15                  **DARRELL D. DENNIS, ESQ.**

16                  Nevada Bar #6618  
17                  STEVEN ABBOTT, ESQ.  
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21                  Attorney for Defendant

22                  **IT IS SO ORDERED:**

23                    
24                  \_\_\_\_\_  
25                  UNITED STATES MAGISTRATE JUDGE  
26                  DATED: November 15, 2019